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T O  
LORD GEORGE GERMAINE,  
GIVING AN ACCOUNT OF THE  
ORIGIN OF THE DISPUTE  
B E T W E E N  
G R E A T B R I T A I N  
A N D T H E  
C O L O N I E S;  
W I T H  
Some REMARKS on the Manner in which  
the WAR has been conducted.

To which are added,  
Certain T E R M S, humbly proposed as a Ground-  
Work of a RECONCILIATION.

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BY A GENTLEMAN,  
For many Years a Resident in AMERICA:

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— Audi  
Quo Rem deducam.

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STEFAN G. JOHNSON

DATE RECEIVED

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1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a message of condolence to the people of the State of California, who have recently suffered a great calamity in the loss of their President, Mr. Zachary Taylor. The President expresses his deep sympathy for the bereaved people and for the brave soldiers who have fallen in the defense of their country.

References are listed at the end of each article.

1944-1945

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T O

LORD GEORGE GERMAINE.

MY LORD,

**A**S you are deservedly placed at the head of the American department, and are accountable to your country for the propriety of your administration; permit me to say a word to your Lordship, on the subject of our public affairs; that *you*, as a minister, may throw my remarks into the scale of your deliberations; and *I*, as a citizen, offer my *mite* towards promoting the welfare of this Kingdom.

The brevity of conferences with your Lordship at your Levees, and the absurd difficulty of private access to men in authority, render it impossible for a man in my retired situation, to address you in any other way, than by letter. That method I have here pursued, and in a public manner, that the world, as well as your Lordship, may be acquainted with my sentiments; that if the facts I advance are untrue, or my reasoning fallacious, your Lordship may be better informed; and not be misled by opinions, which will not stand the test of the most liberal discussion.

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I have not presumption enough to suppose, that what I can say, will be new to your Lordship, or any other person, who may be at the trouble of perusing this little performance; the subject has been too much beaten already, by abler pens, to admit of novelty on my part: all that I propose is, to give a fresh spring to argument, and to call the public attention to that critical point, in which Great Britain appears to me to stand, at this juncture; that if I am not an instructor, yet I may do the office of a monitor, and caution against evils which threaten this distracted nation. In a controversy that is trivial, and where the suffrage of an individual is of no consequence, let men, fond of disputation, wage war with one another as warmly as they please; a moderate man need take no share in it; but in a dispute of so momentous a nature, as to involve in it mischiefs, which, if not attended to, may shake the very foundation of Government, silence in every one, (who at least in speaking his mind, hopes to be useful) *then* becomes criminal.

A word or two more to your Lordship, and then my preface shall be ended. I wish to have it understood, my Lord, that I am no flatterer. Adulation, which, as I conceive, implies the sordid gift of praise to one who does not merit it, is as detestible a vice to me, as the vilifying a character which deserves applause. It is an incense I never offer, and I hold in contempt the man who wishes to receive

receive it: yet, as a friend to truth, a deity I never offended, I am at all times ready to give every commendation, which I think is due to virtue. If a Minister has done *well*, we cannot be too lavish in his praises; but if he has done *ill*, and from a wicked intention, no rank or fortune ought to protect him from the severest reproaches and execration of his country. Had your Lordship's conduct appeared to me to have been of the latter kind, my language would have varied very much from what you will here find it to be; but as, from the maturest and most dispassionate reflection, it has, in my apprehension, borne every mark of integrity and discernment, I cannot avoid giving this testimony of my approbation of it.

America, and its affairs, *seem* to be so well known, that mankind in general speak as familiarly of them, as about events which happen in their own neighbourhood; yet, in fact, there are few who know more of them, than they do about that great Kingdom, which we are told from the highest authority—is to come. Without any information, but what they collect from the daily papers, (and a man must have the credulity of a saint, to believe one word in ten which is there related) without being acquainted with the number or disposition of troops in a battle, the situation of a country; and what is still more illiberal, without paying the least regard to the reputation of a soldier, they deal out their censures

tures on men and measures, as freely as they swear at a waiter in a tavern, whose only fault perhaps may be, his being a witness of their nocturnal excesses. So fluctuating are they at the same time in their opinions, that if the Rebels give way to the superior force of the British Legions, they are immediately pronounced to be the greatest poltroons upon earth; but if, by a reverse of fortune, they happen to gain an advantage over the Royal Army, then they become the bravest troops, and Mr. Washington the greatest general that ever was at the head of a body of men; and some ladies, fired with the *ethereal spirit* of Patriotism, which would be praise-worthy on another occasion, think of sending him portraits of their fair persons, which would be more flattering, and do him more honour, than if they were to present him with caskets filled with the richest jewels.

If a commanding officer thinks it prudent to decline an engagement, and wait for a more favourable opportunity to make an attack, rather than risk a defeat, and thereby endanger the great cause for which he is contending, he is charged with want of courage, tales are fabricated about his dissipation, and amours; and lucre, and not the good of his country is supposed to be the governing principle of his actions; and yet, if from necessity, accident, or more probably the agency of the Rebels themselves, a town is burned, or a stack of hay destroyed, then he

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is condemned for having over-acted his part ; and is said to be as merciless, as the savages who are employed in his service.

If, upon a *necessary* and extensive plan of operations, a general is ordered to march through a woody country, take posts, and open communications, &c. &c. if, from a series of uncommon circumstances, he fails in his attempt, and to save the lives of his fellow soldiers, surrenders upon the most honourable terms to his adversary, rather than commit an act of desperation ; he is first taught to believe he was *devoted* by the ministry, and then, in his turn, has his misfortunes increased, by the envenomed stings of censure and ridicule. To judge of an enterprise by no rule but that of success, is a weakness of the mind, and betrays a want of generosity, which is the most exalted virtue in the human soul ; to make frail man answerable for consequences, unless a power was given to him, which no mortal ever possessed, is unreasonable. It is sufficient to *deserve success*, a misfortune not to obtain it. When gentlemen are remote from their native land, acting in support of the injured honour of their country, and exposed to every hazard and inconvenience which war can occasion, not to be tender of the characters of such men ; but on the contrary, wantonly to publish the most injurious reports of them, is a cruelty that would be disdained by the savages themselves, who have of late been so much abused,

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and, to the dishonour of British freedom, is to be found *only* among the *sons of Liberty*.

If gentlemen of such cast would be pleased to suspend their vehemence, and wait for information, which *can* be relied on ; they would find, I am persuaded, that the delays and disapointments complained of, proceeded not from any imperfection in the plans of the minister, or want of ability or resolution in those who were appointed to execute them ; but from a conjuncture of events, which no human being could foresee, or ability render ineffectual. In all ages and in all places the fate of war has been uncertain, much more must it be so, in a country, (where a late surrender was made) incompassed with mountains, and in large portions of it, trackless to all but the wild beasts which frequent it. A country incapable of affording a supply of provisions ; and lying so immediately on the back of the most populous provinces, that the first attempt to possess such an inhospitable region, might prove abortive ; without exciting any great alarm, strengthening the enemy, or adding one ray of hope, of their being successful on any other occasion. I would ask any one acquainted with America, whether General Burgoyne's orders for opening a communication between Canada and Sir William Howe, were not *indispensibly* proper ? Whether the Americans can be subdued in any other manner, than by driving them from their back country, which otherwise would afford them

them an asylum when forced from their lower or maritime settlements ? and lastly, whether this great design can be carried into execution in any other more affectual method, than by having the command of the lakes, destroying their forts, and making Albany a place of strength and importance ? I am hardy enough to think, that no one will answer in the negative, to these propositions. If then the plan was a judicious one, to whom is honour due ? If it was not as happily executed, as it was wisely designed, to whom is the blame to be ascribed ? To this last question I will answer, not to the minister ; and we ought to entertain too high an opinion of the gallant officer who was to perform these services, to lay it at his door. We should therefore consider the failure as a misfortune which could not be prevented, and derive to ourselves those advantages which the disappointment *may* give us, *if* our *future* efforts are vigorous, and our unanimity *more* prevailing.

When the Rebels fled so precipitately from General Burgoyne at Ticonderoga, the most important fortress they held, and which they boasted was impregnable; who could have imagined that the troops he had with him were not sufficient to make their way to Albany, where his difficulties would have ceased ? If that general's quota of troops had been larger than it was, the augmentation might have weakened other divisions of the army, by which a more decisive miscarriage than his surrender

surrender might have happened. And if the number of troops in America were not sufficient to answer the purpose of the war, it proceeded from the contracted ideas of the gentlemen in opposition, who being enemies to the war in all its shapes, rung an alarm through the nation as to the expence of it, and threw every impediment in the way, which was likely to cause disappointment and bring down censure on the minister.

Things are now my Lord brought to a crisis; if negociation fails, you must either give up America, or with redoubled energy renew your endeavours to subdue it. For the honour of this nation let the latter be adopted. There is nothing wanted to crush rebellion, and bring the Rebels to a sense of their folly, but a proper force. Let it never be said in the annals of this Kingdom, that a time has existed when this great empire could not correct the insolence of her sons, however firm they might have been in their disobedience, or powerfully supported by foreign assistance. Misfortunes to generous minds act only as incentives to nobler exertions. When the Romans were subjugated by the Samnites, the greatest dishonour that could happen to a war-like people; did they fall into private bickerings, traduce one another, and timidly offer an accommodation to their enemies? No, my Lord, they united more closely; declared war against those nations who had assisted the Samnites, and by an effort glorious to themselves, and exemplary

plary to mankind, vanquished their enemies, and replaced their dignity throughout their dominions. If this piece of history was related in the mode of a fable, the moral would serve as an instructive lesson to the present times. The Americans, my Lord, notwithstanding all their vaunted triumphs, are, at this moment subdued; and must, if this country, does not, by its languor, invite them to hold out longer, acknowledge it, and give the point up. They are divided in their councils, and some of their delegates have left the congress, discontented with its proceedings. The people are far from being unanimous; and it is unanimity alone, if any thing, which can give them success. They are destitute of cloathing; and salt, which is an element to them, is not to be purchased. The French supply them with a little tinsel, and articles of small value; but things of real use, are not to be had amongst them, at any price. Their test oath is administered to all persons above the age of sixteen, by which they swear forever to renounce the authority of George the Third, and perpetually to maintain, the independence of the united colonies. Confiscation of property and banishment attend all, who refuse to take this oath; though the sufferers may have sworn fifty times before, to bear true allegiance to their lawful Sovereign. Such despotism as this, cannot be of long duration. The severity, with which, these are treated who offend against one *tittle* of their law, and the

want of protection, keep the friends of government from shewing their abhorrence of the daring usurpation of the Congress. But persecution, which ever increases the number of profelytes, and compulsive oaths, which are the offspring of suspicion, on the one hand; and the want of the necessities of life on the other; added to the unremitting steadiness of government, must in the end, if things are *left to take their course*, do the business. The picture I have drawn of these infatuated men, is not, my Lord, an imaginary one. Facts are too obstinate to be denied. As men, I lament the wretchedness of their condition; as members of this great empire, their system I hold in detestation. I must repeat again, my Lord, that the game is up with them. Men are mortal, and fortitude has its boundaries; and unless this country thwarts the evident tendency of things in its favour, I have not a doubt, but that peace, in a short space of time, will be restored to all his Majesty's dominions.

*Esto perpetua.*

A mighty clamour has been raised about employing the Indians against the Americans, which, for argument sake, I shall take for granted, was done in consequence of orders from this place. We have been told, that it was unprecedented; that it was unbecoming the character of a civilized people, to enter into an alliance with savages, whose delight is in cruelty; and much more so to engage them

them against the Americans ; who, (notwithstanding all endeavours on their part, to dissolve every connection with this country,) are still called our *bretbren*, *friends*, and *countrymen*.

War, my Lord, to an Indian, is a profession. He has no other way of distinguishing himself, whilst living, or immortalizing his name after his death, but by his valour, proved by the number of scalps he can produce. Relations of victories are little attended to ; scalps are the only evidence of his prowess. He wants no provocation to lead him to war ; he is a mercenary, and will engage on either side, where he finds it most to his advantage to be concerned. In a war carried on in his own country, his inclination to take a part could not be doubted ; neutrality would have cut off every prospect of being supplied with the necessaries of life. In the present dispute, the Indians knew that their assistance would be solicited from both sides ; their compliance was reserved for the highest bidder. The Americans made the first application to them ; they waited to hear the propositions of this country, terms were offered and approved of, and they were enlisted in the British service. These people have always been employed in the wars of America. In the last war, many of their tribes were so closely connected with the French, that they were almost incorporated with them. The sons of Canada married Indian women, and the strictest friendship

was cultivated between the two nations. General Amherst employed them. General Forbes had many in his service when he took Fort Duquesne, and General Washington, when he commanded a body of troops raised in Virginia, was never without them. The Virginians were so sensible of their importance, that, when they found them backward in joining them, they endeavoured to frighten them into an alliance; for their Assembly gave a reward of ten pounds for every male Indian enemy's scalp, above the age of twelve, and afterwards augmented it to forty pounds per head. This answered a double purpose; for not only the Indians, but the French I fear, had reason to lament the bounty of that Assembly. When the scalp was presented, and the premium demanded, no questions were asked; the trophy passed under the denomination of an Indian scalp. In 1776, the Convention of Virginia sent a deputation to some of the neighbouring Indian Tribes, in order to obtain their assistance *against the English*, pointed out a method in which they were to be enlisted, and appropriated a sum of money for the pay and support of them: and lest the Indians should imagine that this invitation had not the sanction of the Congress, they directed their Commissioners to inform them, that it was the *sense of the Congress, in their resolution of July, that they should be engaged*. This proves, my Lord, incontestibly, that the Congress (if the Virginia Convention knew



knew any thing of their inclination) wished to avail themselves of the aid of the Indians; and that the famous resolution of that body, which has been artfully handed about as a mark of their *tenderness* to this country, was meant to procure their *active* services, if possible; if not, at least their neutrality; and thereby to guard against their enmity, if they could not possess their friendship. None of these facts, my Lord, are asserted without book: every American, who is in England at this time, must know them to be true; but authentic proofs can be produced, if the veracity of the relater is called in question. Things being thus circumstanced, what would have been said of the Minister, if he had left General Burgoyne to be harrassed by the Indians, in the route he was to take, and suffered the Americans to strengthen themselves by so powerful an alliance? The notes of his opponents would, I am confident, have been changed, the feelings of humanity would have been an unavailing plea in his defence, and those very gentlemen, who are now condemning him for a contrary conduct, would have been the first amongst his accusers.

The end of war is to destroy an enemy, if he cannot be subdued in a less rigorous manner. That end is effected various ways; sometimes with guns, swords, and bayonets, at other times by undermining and blowing an enemy into atoms; and amongst the savages, with scalping knives and tomahawks. As to the person killed, it matters not by what wea-

pon or manner, he is deprived of life ; and, as to the conqueror, I see no distinction in point of honour, whether he kills his adversary with a sword, or the more unfashionable implement, a tomahawk. It is a maxim with some nations, never to give quarter ; and red hot balls are fired into besieged towns ; by which measure, numbers of innocent women and helpless children are consumed to ashes. Can any thing hurt our feelings more than a relation of such disasters ? And yet no nation is so humane, as to avoid an alliance with the first ; or so scrupulous as not to practise the latter, when the situation of its affairs requires it. If we consult the opinions of authors, who have treated on the subject of war and peace, we shall find them unanimous in declaring, that in war every thing is justifiable that is conducive to safety, unless it be the use of such things as are prohibited either by the express or tacit agreement of nations : that we may weaken or destroy our enemy in any manner we can, and call to our assistance any auxiliary, without excluding nations or persons of any denomination whatsoever. And a modern writer of great repute, in his treatise on the law of nations, laughs at every distinction with respect to the *persons* with whom we treat ; saying, that security is the only object in these cases, and that we negotiate with other powers as *men*, in an unconnected sense ; and not under any particular profession or description whatsoever. But, my Lord, inde-  
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pendent of these considerations, the objection fails, in its very foundation; for the Indians are not such cruel enemies, as by some they are mistakenly said to be. It is indeed true, that in some instances they put their captives to death in an excruciating manner; but the persons whom they treat with this rigour, are generally such as have rendered themselves peculiarly offensive, by their perfidy, their cruelty to others, or by having done something which they hold to be singularly criminal. But men whom they take as prisoners, in the course of a war they, carry home with them, employ them as servants, and, after some time, when they have given sufficient proofs of their fidelity, they are permitted to marry, and become one people with themselves. Women and children are considered as the most valuable acquisition they can make. The males they adopt in their families, and the females they marry; and, to the honour of an Indian chieftain it may be said, that whilst an European husband is puzzled to know what to do with one wife; he can manage and keep quiet a dozen. Indians, my Lord, are termed savages, but how far they deserve that appellation, may perhaps be made a subject of dispute, by those who are acquainted with them. It is true, that they are not Christians, but they have an idea of a supreme Being; and pay their adoration to him as the King of kings *mentally*, but have no outward form or mode of worship. The  
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simplicity of their lives requires but few laws ; but such as they have, are *universally* obeyed. Their knowledge extends only to things of common utility ; beyond these, they think that science is detrimental. In Virginia, there is an establishment of the great Mr. Boyle's, for the education of Indians, to teach them to read and write, and to instil in them the principles of civilization and the Gospel. Formerly, many of their boys were sent thither, and were improved, according to the intention of that benevolent institution ; but of late, the office of the preceptor has been almost a sinecure. A Governor of Virginia being in company with a number of Indian Chiefs, asked them, why they discontinued sending their youths, to receive the benefit of a school which was founded for their improvement alone ? After taking time to consider the question, they replied, that they did not think it an advantage to have their young men brought up among the Whites ; for when they returned, though they were the best scholars, yet they were always the *greatest villains* in their nation ; and therefore they thought it more eligible to keep them at home, in ignorance, and make honest men of them, than send them to Virginia, give them learning, and put them to death for their roguery, when they return to their own country. Their conceptions are not very profound, but have great good sense in them, and are conveyed in language, a-  
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abounding with allegories, and similes drawn from subjects that are most striking and best known to every one. There is as much honesty to be found amongst them in their traffick, as perhaps, in any people upon earth. War and hunting are their delight. Whilst they are engaged in these occupations, their wives remain at home, cultivate the land, and do the business of the family. They have a tradition amongst them, that the Almighty permitted them to grow out of the earth, as the trees do; but one circumstance will serve to prove, that they are the regular descendants of Noah; for, their fondness for *strong drink*, as they call it, is unconquerable. Their intercourse with the colonies has lessened their numbers very considerably, owing to the rum they are supplied with, which is drank in great quantities by both sexes. They have a singular custom among them. Whenever a relation is killed, be it in peace or war, it becomes the business of the next of kin to revenge his death. If the deceased falls by the hand of one of their own people, the *lex talionis* is immediately inflicted on the author. If by the hand of a foreigner, Indian or White; if no other means of pacification offers itself, the avenger goes unattended into the country of the offender, let the distance be ever so far, and takes the scalp of the first person he meets; and then returns well satisfied, thinking that he has appeased the unhappy manes of his departed kinsman. When a warrior is taken

in battle, the conqueror cannot oblige him more, than by putting him to death with uncommon tortures, because he conceives it to be a completion of his heroism, to die without complaining in the midst of the most exquisite torments. In short, if the possession of many virtues, sullied but with few vices, can redeem these people from the imputation of being *Savages and Barbarians*, differing but little from the brutal part of the creation; these epithets are improperly applied to them; for every one acquainted with their history must allow, that exclusive of a little treachery in war, and perhaps some degree of cruelty more than is practised by better informed nations, (the only errors which I think can be attributed to them; ) they fill up the narrow circle in which heaven has placed them, with as much dignity and propriety, as many do, in their enlarged spheres, who think it a crime to have any communication with those untutor'd inhabitants of the western hemisphere. There is a variety of nations amongst the Indians who are independent people; but they resemble each other so much, that an account of one, will serve very well as a description of them all.

Permit me, my Lord, to say a few words more as to employing the Indians, and then I shall take my leave of the subject.

These aborigenes have a peculiar manner of fighting and carrying on their wars. They paint themselves of the colour of the objects that

that surround them, insidiously lie in wait for their enemies, attack them by surprize; and in battle, conceal themselves behind trees and walls, or any thing else which will screen them from the fire of those with whom they are engaged. They follow their enemies great distances through the woods, being guided by the print or impressions of their feet on the ground, which, though but slight, very seldom eludes their sagacity; and by the position of the bushes, when they are misplaced in the smallest degree, by those who pass through them. This manner of conducting themselves seems calculated for the country which they inhabit, and frequently gives them great advantages over their enemies, as was proved in the unfortunate defeat of General Braddock; for the army which opposed his march, consisted chiefly of Indians, who filled the British soldiers ears with the most dreadful yells; but seldom gave them an opportunity of seeing the authors of the lamentable carnage which was made on that occasion. The American woodsmen possess the same knowledge, and practice all the arts which are to be found among the Indian warriors. Suffer me to presume, my Lord, that the British soldier is a stranger to both, disdaining to protect himself in any other manner than by his bravery, and in the face of his adversary. Was it not then very proper to engage the Indians to attend general Burgoyne, that they might scour the woods for him,

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him, discover the rebels sculking parties, attack them in their own way, and preserve the British army for more important services ? The answer of every ingenuous mind must be in the affirmative.

Having made a few observations on those great topics of conversation and noise, the unfortunate surrender of General Burgoyne, and the junction of the Indians with his army ; I shall now take the liberty to mention to your Lordship what were the original sources of discontent among the Americans, that if peace is restored, your Lordship may be a competent judge, what alterations it may be necessary to make, in their future government.

The period, my Lord, is not very far distant, when the Americans thought themselves, and really were, the happiest people under the sun. They vied with each other in duty to their sovereign ; and in their deportment to the mother country, acted as became affectionate children. No suspicions, as to the Parliament, rankled in their breasts ; no jealousies interrupted their confidence ; but one common interest seemed to pervade all his Majesty's dominions. Such was their reverence for the House of Hanover, that when the Scotch first went to settle amongst them, though it was evident such inhabitants would open some very advantageous branches of trade, and encrease the value of American commodities ; yet they met with a cold reception ;

ception ; because they were supposed not to be *loyal*, to the present family ; but now the case is so much altered, that they will not suffer any of that people to continue longer with them ; because they cannot persuade them to become, *disloyal*. Whenever persons were on a voyage to England, it was said they were going *home* ; an expression which comprehended in it every acknowledgment that was necessary, to shew their union with and dependance on this country.

America, my Lord, is a country vast in its extent, and in its fertility, wonderful. It has inexhaustible treasures in its bowels ; and its forrests of timber are unbounded. Every climate is to be found within its limits ; and every production of the earth will flourish in its bosom. No gloomy face of nature is to be found there ; the elements seem to combine to diffuse a chearfulness, and to give residence to health. Their rivers not only supply the inhabitants abundantly with fish ; but afford them an easy communication with the sea. No country can be better calculated for commerce ; and the genius of the people has a turn to it. Happy, thrice happy might they have been, had they *known their own good*, and enjoyed in peace, those blessings which heaven had bestowed on them ; but plenty and security begat pride, and pride ; the basis of all folly, begat discontent, and this in the end has reduced them to that deplorable state, under which they now labour.

When

When peace put an end to the last war, and the terrors which Canada excited, were removed, by a cession of that country to his Majesty, things began to wear a new appearance. As the Colonists thought they stood less in need of the assistance of the parent kingdom, their attachment to it declined in proportion. This disaffection was not equal in all the Provinces; it prevailed in New England more than in the southern governments. A doctrine was propagated, that as nature had made all men free; subordination was against her laws; although many thousand Blacks were held in the most abject slavery by them. Nothing happened at that time of sufficient notoriety, to enable any one to determine with precision how far their sentiments extended; but this I can venture to say, that the passing the Stamp Act gave a decisive blow to American loyalty. The taxes imposed by this law, though they would have raised a very large sum of money, considerably beyond what is generally imagined, were of little consequence to the people, but as they enabled their demagogues to make a plausible clamour against the Parliament: for they would have fallen chiefly on the litigious and mercantile; the former of whom ought never to be attended to in regulations of conveniency; and the latter would have recompensed themselves in the course of their trade. The pretext of its being a dangerous precedent, was ridiculous. Every one  
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knew, that there was no dearth of instances to prove, that the right of taxing the Colonies *internally*, had been frequently exercised by Parliament, without a murmur. A duty of one penny per pound, was laid on all tobacco transported from one plantation to another, to be *paid and collected* in the Colonies. King William gave that part of the duty, which was collected in Virginia and Maryland, to the college of William and Mary in Virginia. This was to all intents and purposes an *internal tax*, disposed of at the Revolution, at a time when the constitution of England was *established*; (or if this language is not approved of, I will say, when it was *reviewed*, and all the rotten parts of it were lopped off) and which was never questioned by the Americans' forefathers; who, if we may form a judgment from their writings and legislative proceedings, were as well acquainted with the English constitution, and as tenacious of their legal rights, as any of their enthusiastic descendants are at this day. The idea of an inseparable connection between Taxation and Representation, exclusive of the powers of legislation, is a distinction which served the purpose of debate; but I believe never entered into the head of any one, until it was broached, but the person who was the author of it. Such refinements suit very well the business of a lawyer, but sound reasoning alone, ought to influence the great Council of the nation. The inhabitants

tants of America, though perhaps from their distance, they are under some disadvantages, yet are as much represented, as a very large proportion of the people of Great Britain : and if any other representation had been offered to them, they would have submitted as soon to the Stamp Act, as accepted of it, unless their representatives had been so numerous, as to constitute a majority in the House of Commons. Every one must admit, that the adventurers, who first *settled* British North America, were the subjects of England. They emigrated under the protection of this country, accepted charters from the crown, and the Kings of England have ever since uninterruptedly, until the present dispute, received their acknowledgment as feudatories and subjects ; and they have in numberless instances, in the most explicit manner, recognized the authority of Parliament over them. It is true, that America has never been annexed to, or made part of this empire, *expressly*, by act of Parliament, or by any other solemn instrument whatsoever : but as that country cannot be considered as a conquered one, but ceded to the Kings of *England*, and their *successors*, by the different possessors, and settled by English subjects, who neither *could* nor *wished* to shake off their allegiance ; and as the Americans themselves, by declaring all the laws of England, prior to their settlement in force amongst them, the people of this country, and divers

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acts of parliament have, on many occasions, considered it as a branch of this kingdom, such a formality, although it might have had its use, yet certainly was not essentially necessary, to create a superintendence in the Parliament over it. The want of this ceremony has led the Americans into an opinion of *late*, that they owe an allegiance to his Majesty, as *their* King ; but that the Parliament have no greater right to bind them, because *their* Sovereign is King of England, than it has to bind the people of Hanover, for the same reason. They urge, (I am speaking as if they were still dependant) that from the nature of their government, they are subject to no other authority, but that of the King. Appeals, from their Courts of Justice, lie to the King and Council ; Westminster-hall being shut to them, though open to all other subjects ; their laws become valid, when assented to by the King ; and in the acts of grace, which have been granted to them by their Sovereigns, not a word is mentioned in them of the Parliament ; from thence they infer, that as they send no representatives, but are totally cut off from the Parliament, in all cases but such as are very much to their prejudice, if *they can be taxed by it* ; they are the subjects of the King, but not of *Great Britain*. They were therefore willing to submit to his Majesty as *King of America* ; but would by no means acknowledge the supremacy of Par-

liament over them. And 'tis observable, that the motto of the ancient arms of Virginia, was, *En dat Virginia Quartam*, supposing that that Country was as distinct from this, as either of the other two, which give additional titles to the Kings of Great Britain. If then, my Lord, the Emigrants who first settled North America, were the subjects of England; they certainly carried with them the laws and constitution of their country. Upon what principle then, can their descendants suppose themselves to be out of the reach of Parliament, which holds a supreme power over all persons and things belonging to the state; and controuls and modifies every branch of the constitution as occasion may require; a power which has been exercised from the beginning of time, as may be proved by the present existence of Magna Charta, our great Palladium; which has received so many amputations; that there is scarce an entire limb of it, remaining at this day. If they claim this immunity from their charters, the argument will be stronger against them; for by these grants they are considered only as *Demi-zens*; and in *express terms*, are prohibited from passing any acts of assembly, *repugnant* to the laws of England. If this restriction does not keep them within the power of Parliament, I know not what language could be found, to answer that purpose. Some very respectable writers have insisted, that the Stamp Act was in its nature unconstitutional, because it was intended



intended for general purposes; and yet *only* a small part of the Empire, and that not including the representatives of the people, was the object of it. But this appears to me to be arguing very vaguely. I own, that it is a great security to an Englishman in point of taxation, that no burden can be laid on him, but what is likewise imposed on his representatives; and 'tis admitted, that the Stamp Act affected the Americans *only*. But to put the matter on a fair footing, let me ask this question; will the Americans agree to be united with England, so that the whole expences of the Empire shall be equally, or in any just proportion, defrayed by the several branches of it? If they are inclined to come into this regulation, Great Britain I am confident will rejoice in such an union; chearfully share with them all their Provincial charges; and give them as free a trade, as the people of this Island now enjoy. To say therefore that the Americans shall not be taxed by Parliament, either by themselves, or when joined with the people of this Kingdom for any purpose whatsoever; because the first is partial, and in the other case they are not represented; is to declare in plain words, that they shall pay nothing towards the support of government, but what they in their condescension may think proper to grant; which I take upon me to say, is an unreasonable proposition. If they are unable to bear the immense load of expences which the people of this country are obliged

to sustain, let them contribute according to their ability; but let not the *quantum* of that supply depend on their assemblies; for though it has been said, that they were always ready to give whenever applied to in that line; yet the history of the last war will contradict that assertion, and afford strong reasons to presume, that upon an application for a quota, many of their assemblies would refuse to give one shilling. It would be proper to leave to the respective assemblies the mode of raising the sum demanded of their Province; but to be upon *sure* ground, the sum ought to be *previously* ascertained. The trade of America it must be allowed, has been almost ingrossed by Great Britain; but when the drawbacks on goods exported, and the bounties on those imported are taken into the account, the trade will be found not to have been a sufficient recompence, for what Great Britain has expended in the protection of that country. So that the predicament in which the Colonies must appear to stand, in the eyes of every one who is not blinded by interest, or the rage of party, is that of great corporations, capable of making local regulations, but by no means intitled to the privilege of having independant Legislatures. It must be granted, that their assemblies have frequently exercised greater powers, than were permitted by their charters; which, out of tenderness to them, have not been repealed by his Majesty; but to turn an indulgence into a right, and to hold

hold it as a weapon against a benefactor, is to justify a saying of Sylla's, when he was insulted after he had laid down his dictatorship, that such behaviour was a lesson to Princes, *never to part with a power when once possessed of it.* I therefore, my Lord, under the fullest conviction, that my judgment can receive, from the most disinterested, candid, and impartial examination of the subject, think myself bound in conscience to acknowledge it *as my opinion*, that the Stamp Act, was not an unconstitutional one, and that the violence with which it was opposed, was indecent and unwarrantable. *But rights, my Lord, and the exercise of those rights, are sometimes found to be very different considerations.*

The Stamp-Act itself did not surprise the Americans so much, as a piece of policy which accompanied it. The act directed, that the duties should be paid in specie; and the trade with the Spaniards, which was the only channel through which gold and silver flowed into the colonies, was stopped. This restriction, not only put the Americans under an impossibility of complying with the act, but, at the same time, was a particular injury to this country. The greatest part of the coin in America, after a certain course of circulation, ultimately centered as bullion in Great Britain. The scarcity of bills, the height of exchange, and various other circumstances, made gold and silver, in many instances, the surest and most eligible remittance to this place.

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To deprive the mother country therefore of so great an advantage, and to frustrate the design of the act so effectually, was such a political manœuvre, that a man must be more than a Machiavel to know how to account for it.

Discontent became universal upon the passing of this act. Every thing was put in motion, in order to bring the dispute to the same issue that is now depending. Petitions, memorials, and remonstrances, were pompously prepared and published. The courts of justice were shut up; and merchants who had ships ready for sailing, and who had, perhaps their whole fortunes embarked on board them, were threatened with perdition, if they made use of a stamp; and every one was treated as a foe to his country, if he was daring enough to assert, that one spark of virtue was to be found in the British parliament. In this state of things, when nothing but riot and disorder prevailed, an event happened, which hushed all their clamours, the parliament was seized with a fit of--lenity; and the paroxysm produced a repeal of the Stamp-Act. The ostensible cause of uneasiness being removed, the nation was lulled into an opinion, that the effect would cease also; but they were mistaken in their expectations; discord had taken up her abode; her seeds were sown, and had taken root in a *fruitful* soil, and tho' the *season* was unfavourable, yet nothing could prevent their coming to maturity. The lead-  
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ders of faction saw, that noise (a commodity they dealt pretty largely in) carried with it, its own price; and they were determined to have a sufficient quantity of it at market. They became utterly dissatisfied with the government of this country, and construed into a grievance, every measure that related to them. The oppressions under which they *supposed* they laboured, were held out to the people with every colouring they could receive; and they were multiplied as much as possible; that what they wanted in weight, might be made up in number. The Congress afterwards published a code of them; but, I believe, their principal grievance was their *dependance* on Great-Britain.

I shall mention to your Lordship a few of those things, which were the subjects of complaint amongst the more sensible of them; and this I shall do as they occur to me, without regarding their dates; because I mean only to mark out to your Lordship, the ground-work of the present rupture, which has produced the most astonishing superstructure, that I believe was ever known, in the records of past times.

A decision in the court of King's Bench, in the cause of Somerset, a Black, against Mr. Stewart, his master, was loudly complained of. They considered, that under the authority of this case, all their slaves would be emancipated, as soon as they landed in England. They urged that the laws of Ame-

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rica, authorised the condition of slavery : that altho' many of the colonies had endeavoured to put a stop to the further importation of Negroes, by laying very heavy duties on them ; yet the policy of this country, would not permit them to have their desired effect ; that this unexpected adjudication, had considerably lessened the value of their property which they had in their slaves, by making the enjoyment of it *merely local* : that it was a hardship on gentlemen, who, from indispensible reasons, were frequently obliged to remove to Great-Britain, that they could not be attended during their voyage, by servants accustomed to wait on them, without the immediate loss of their dominion over them, on their arrival : and lastly, that they saw no reason to suppose, that any of their other rights were in security, when founded on laws differing from those of England, which frequently was the case ; particularly, in that of their marriages, which in some of their provinces, for want of Clergymen, were solemnized by Laymen ; and which they conceived, could not be supported under the ecclesiastical laws of this realm. The Lawyers suggested to them, that this case tallied with an opinion of Lord Chief Justice Holt's, that America was a conquered country, and therefore, that the King could prescribe to it, what laws he thought proper ; which they received as a doctrine, subversive of all their rights and priviledges. I have often wished,  
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that a compleat state of Somerset's case had been published ; that the persons affected by it, might know the true ground, on which the illustrious Judge went, in that determination ; and I make no doubt, but his reasons would give satisfaction to all parties.

Another complaint was, that the offices of profit, were generally given to gentlemen residing in England, who acted by their deputies abroad ; and allowed them as few of the advantages, but as much of the labour of office, as could be bestowed on them. It was thought unreasonable, that so large a proportion of the salaries, should be paid to the principals ; when they were at no other trouble, but that of writing a letter or two in a year ; not to ease the deputy of any part of his duty, but to spur him on to an exact punctuality, in making a remittance of their share of the income, which *seemed* to be the *only* part of the business, which was thought of any consequence. Many people were of opinion, that this weakened the influence of government ; for no uncommon zeal can be expected in any one, who is obliged to go through the drudgery and dependance of office, whilst another is enjoying the emoluments, and fruit of his labour. This objection was better founded in the late, than present reign. His Majesty, in a great measure, removed the force of it, by ordering his governors in chief, to reside in their governments ; which it was imagined would be ex-



tended to all inferior officers, when it could be done with justice to those, who had been a long time principals, under the circumstances I have mentioned.

In the conferring of those offices, the persons appointed, think themselves but little obliged to government ; for the appointments are generally procured by merchants, who claim the merit entirely to themselves, and the recompence is made to them in a commercial line ; when that is done, it is thought that no further obligation exists. This lessens very much the influence of the governor ; and when success is obtained against his recommendation, it becomes a matter of triumph ; fixes the idea of corruption, and the office of the King's representative, from the want of power, is held in great derision.

By the 5 Geo. II. all the lands, &c. in America, are subjected to be sold for the payment of debts due to the inhabitants of this country ; but the courts in some of the provinces had judged, that the provisions of that act were not reciprocal. That the American had not the same remedy against his debtor living in England, and having lands in America ; but must seek his satisfaction, according to the rules of the common law. Those musty regulations it was thought, might have been a proper mode of proceeding, in the days of antiquity ; but was a very inadequate remedy in the colonies ; besides it was conceived that under this act, estates intail might  
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be sold for the payment of British debts, which affected one of their most favourite methods of limitation, in the settlement of their families. By the same act, copies of accounts, and debts, &c. &c. properly attested, belonging to the people of Great Britain, may be offered as evidence in the courts of justice in America, but none but originals from America will be received in Westminster-Hall. These acts were loudly complained of, and were said to be founded in partiality and injustice. The pride of man is piqued at every distinction, that is made to his prejudice; and although there was not in all probability one man in a hundred, who was affected by this discrimination of persons; yet it answered the purpose of clamour, as fully, as if the regulation had been really unjust, and universally felt.

The assemblies in America have, on many occasions, undergone great mortifications in the repeal of some of their favourite acts. It was said, that a single merchant in London, had been attended to more than the legislatures of some of the provinces; for his interest alone had proved sufficient, to procure the repeal of acts of assembly; when the warmest applications from the colonies to get them confirmed, had been ineffectual. It was lamented that the Americans were, at all events, too much in the power of the merchants with respect to their property, without giving them any further advantages, in the

regulating their policy. That the merchants received a freight for all the commodities they brought to market ; that they *there* sold them for any price they thought proper ; and deducted out of the produce, a very considerable commission for their trouble. That if a return in goods was made, they were paid a commission for buying those goods, and a freight for the conveyance of them ; which, with a dozen other articles, that are charged in all the accounts of their correspondents, such as postage of letters, brokerage, primage, lyage, lighterage, cartage, wharfage, waterage, nailage, cooperage, watching, rolling (the greatest part of ~~that~~ are all clear gain) must put almost as much profit into their pockets, as is received by the industrious proprietor.

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There was another instance of the repeal of an act, wherein the assembly of Virginia felt a dreadful shock in having its authority so contemned as they thought it was on that occasion. In that Province the stipends of the Ministers, as well as many other publick officers, were paid in tobacco instead of money. It happened that an uncommon drought had given reason to fear that a very short crop would be made. The assembly taking the matter into consideration passed an act, empowering all persons to pay their tobacco debts in money at two-pence per pound; which was considerably more than the value of tobacco, when the salaries of the clergy were first

first established. The price afterwards rose to 50l. per cwt. which made a very great difference in the income of the Clergy; thinking this a great hardship to them, and their only redress after the law was passed, lying with his Majesty; they appointed one of their body to state their grievance to him, and solicit a repeal of this extraordinary and arbitrary proceeding. It was a common calamity, and the assembly thought they had a right to interfere. The Clergy denied that right, and insisted, that as they must have been losers had the price of tobacco fallen, they ought to be gainers, as by accident its worth was greatly increased. His Majesty thought proper to comply with the prayer of the Clergy; and to shew his disapprobation of such an act of injustice; instead of *repealing* it by his proclamation, which was the *usual way*, he *annulled it, ab initio*. Some acts were passed, with a clause suspending their force until his Majesty's pleasure was known; these could have no efficacy, if the King's assent could not be obtained; others were passed *indefinitely*, and took effect immediately; so that although his Majesty should think proper to *repeal any of them*, yet it was supposed, that they had an *operation in the mean time*; but as this law was *declared void from the beginning*, it set aside a great number of transactions, which had been intermediately settled, under the supposition, that the act would be valid until its repeal. This excited a good deal of ill blood  
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between the Clergy and People; the latter of whom have taken full satisfaction since the game has been in their own hands, for they have abolished all livings, and made the parochial Clergy *totally* dependant on the people for a subsistence.

When men engage in trade, it is natural for them to endeavour to turn it to as good an account as possible. When a duty is imposed on commerce, it is from that principle, that a secret *itch* prevails amongst those who are likely to be affected by it, to elude the payment of it. Men are apt to be adventurous in the pursuit of gain. This ardour produces smuggling. It might be improper to suppose, that all the American Merchants were smugglers; *some* men will *escape the infection* in an epidemical disease. But thus far we may venture to assert, that they were all enemies to the Courts of Admiralty. The Congress made the establishing of new Courts of Admiralty, and inlarging the jurisdictions of the old ones, an alarming article in all their remonstrances: but moderate men were under no great apprehensions about it. They considered smuggling as a game, and the Merchants as parties. If they played their cards so as to avoid a loss, it was a mark of ingenuity; but if they were out of luck, they must pay the penalty; and a *learned commentary* had taught them, that this was an acquittal in foro conscientiæ, being only *malum prohibitum*. They further thought, that

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if duties were to be paid, it was proper to secure them as effectually as possible ; and that it was immaterial what courts had a right to enforce the payment of them, whether new jurisdictions were created, or the authority of the old, augmented. But when the power of Parliament to impose any duties at all was reprobated; the courts appointed to take cognizance of these matters, met with opposition also. The judges of the respective Courts of Admiralty will bear testimony, that the validity of these acts, were never questioned till within a few years. Indeed the penalties of all the acts of navigation, were complained of as bearing no proportion with the offences ; but the power of Parliament to regulate the Courts of Admiralty was never doubted, until that phrenzy *Independance* intoxicated their understandings. So far were the appellate Courts of Admiralty from being considered as evils, that they were by many looked on as advantages. Before the late acts, appeals from America lay to England. Few could prosecute them at so great a distance, for want of money and friends ; but when a superior judicature was established almost at the door of every one, who might think himself aggrieved by the sentence of an inferior court, it was ridiculous to treat such a measure as a grievance. Some of the judges of the old Courts of Admiralty, had no settled salaries allowed them ; but were authorised to take a *small fee in every cause*, as a recompense for  
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their trouble. Whenever a suit was instituted, caution was taken of the prosecutor, to be answerable for the costs and fees of the court, in case he should be cast; and if he was found to have acted vexatiously, he was made to pay them; but if his prosecution was decreed to be well founded, then the costs and fees were generally paid out of the condemned effects. If there was any impropriety in this, it arose from the indulgence shewn to the defendant, in not obliging him to pay the expences out of his own pocket. The utility of the acts complained of, was obvious to every one; for when the officers of the Navy were allowed to make seizures, and the limits of the Courts of Admiralty enlarged, smuggling received a very considerable check, which was manifested by the increase of duties received at the public Treasuries.

The idea of having an American Bishop, excited the utmost uneasiness amongst all ranks of people, except a few of the Clergy. This aversion to a prelate, proceeded from their republican principles: for if they did not approve of a regal government, an hierarchy in the church, must of course be their abhorrence. The religion of the Americans differs almost as much as their climates; and what is remarkable, there is more enthusiasm in the northern, than the southern governments. You may begin at latitude forty-five, and come down to twenty-five, and religion will be found, in all its gradations, from the  
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most zealous down to—*none at all*. If the true criterion of faith has ever been hit on, it must have happened in that country : for the Christian religion is divided and subdivided *there* into more branches, than are to be found in any country upon earth. The Roman Catholic religion prevails in one Colony; Quakerism in another; and I must say it, to the honour of that ceremonious people, that they are the most moral set of men to be met with, in any of the Provinces. I believe, that it is a difficult thing to gain an advantage over them in *making a bargain*; but their virtues lie in their being strangers to those vices; which too much prevail amongst others, and which, are a disgrace to rational beings. Another religion is to be found amongst them, whose essence consists in *canting* and *preaching*; but no precept is regarded longer, than they find it their interest to observe it. Too great fervor in devotion, is apt to bring on a suspicion of its sincerity. Presbyterianism abounds; but from whence it originated, it would be difficult to inform your Lordship. Indeed, Scotland has been eased of its inhabitants, by the migration of many of them into America; but the ideas, which these travellers carried with them, were generally supposed to be more of the pecuniary, than religious kind. They have Fanatics, Methodists, Lutherans, Calvinists, Anabaptists, new Light-men, Moravians or Dunkers, &c. &c. &c. in great a-

bundance amongst them ; the latter sectarists, differ but little from some of the former, except in two instances ; their Baptism is performed by a total immersion of the body ; and their service, in music ; but their harmony, like that of the Jewish synagogue, will please none but such, whose ears have been spoiled by their own worship. Though I have spoken of the religion of America in general terms, yet I hope, I shall be understood with several exceptions. There are gentlemen belonging to that country, many of whom have been forced into this, on account of their unalterable attachment to government ; who possess as much true religion, and I will go further, and say, have as much honour as can be found amongst the gentlemen of any country whatsoever.—The astonishment of some people was as great, to find a disposition here to allow them a Bishop ; as it was, that the Americans should be averse to one. Speaking of Religion, it reminds me of the Quebec Bill. This act was never objected to, till the Congress thought it a subject worthy to be inserted in their list of complaints. Nothing could be more ridiculous, than to suppose it to be a prelude to the establishment of the Roman Catholic religion in all the Colonies. A few men of heated imaginations, who may be made to believe any thing, when coupled with the word *religion* ; might be under some apprehensions about it ; but in general it was thought a very humane indulgence, to the  
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tender consciences of the people of Canada : but the idea of its being intended as the ground-work of Popery in the Colonies, or even throughout Canada, was as remote from the minds of sedate people, as that George the Third would surrender his crown to the Pope, and receive it again as his tributary, as was upon a former occasion done by one of his predecessors. To tell any one, particularly a bigotted Frenchman, that he is ill used, because his conqueror does not impose on him a religion he *abhors*; and that he ought to revolt, because he is not governed by laws to which he is a stranger, and because his person and property are not tried by Juries, consisting of men, whom his religion teaches him to think are Heretics; is a mockery of common sense, and a satire on the understanding of those, who can be thought capable of believing such absurd nonsense.

The fixing a new Colony on the back of the Provinces, between the Allegany Mountains and the River Ohio, which it was imagined, was a part of the British politics; became a subject of great apprehension amongst the patriots. It was taken for granted, that this alarming settlement, in its infancy at least, independant of design, must be a military one. That the influence of habit was so great, that it would be difficult, when the reasons for the military ceased, ever to get it reduced to a civil government; which, at all events, would create a very great jealousy

and uneasiness in the lower Provinces. But their fears became very much heightened, when they reflected, that this Colony, strengthened as it would be by a number of desperate men, who would resort to it, might be intended as a rod over the neighbouring Colonies, to check any complaints, which their grievances might give rise to. Petitions and remonstrances were preparing against this measure, but were never compleated, as the report about it dropped; and fears, which were imaginary, gave way to others, that seemed to have a more solid foundation. The lands, in the lower parts of some of the Provinces, are very poor, owing to the long cultivation of them without skill or industry; but were very good in their original state. Every species of soil is to be found in America; stiff, sandy, wet, dry, stony, and all other kinds; as if nature intended it as the nurse of all her productions. The southern parts, from the intense heat of the sun, cannot be made great grass countries: but they are supplied with hay from their low swampy grounds, which, when reclaimed, become as fine meadows as any in the world. These swamps abound with trees of an enormous size, which require great force and labour to remove, but when accomplished, the lands very amply repay the owner for his trouble. The blades of Indian corn cured in the sun, afford a very good Pabulum for the stables and farm-yards. Persons possessed of poor  
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lands in the lower parts of the country, and particularly in Virginia, have, for many years past, discovered a strong inclination to go to the westward, and settle with their families upon the fresh lands, whose fertility is astonishing. Nothing has kept them from removing thither, but the want of a proper strength, to oppose the incursions of the Indians. Should a new Colony give them protection, there is no doubt but that multitudes of them would flock thither, besides many others, whose debts would oblige them to fly from their creditors, and which must drain the lower settlements very much of their inhabitants. A new colony can afford the mother-country nothing, but what may be fully supplied with more convenience, and cheaper, by the old Provinces.—But although the Americans discovered such a dislike to a new colony, when established by this country; yet they were very well pleased, when any lawless measure of that sort was effected by their own people. One Henderson, a native of North Carolina, formerly an Attorney, but latterly one of the Associate Judges of that country, insisted a number of men under his sovereignty, and settled them on a body of very fine land, to the westward of his Province and Virginia. The most valuable parts of the Fief were portioned out to his followers, and great encouragement was offered to others, to induce them to settle in this self-created government. This infant state was hastening

hastening very fast towards perfection, but the present dispute put a stop to the rapidity of its progress. At present, there are great efforts made by the Virginians and people of Carolina, to get this Henderson to unite himself to one of them; but it is imagined, he will disappoint them both, and insist upon adding one stripe more to the arms of America.

As the reasons for enlarging the boundaries of Canada were not at first known; it became a prevailing opinion, that it was intended to supply the place of the new colony before-mentioned, and would be productive of greater mischiefs, as the French, who had ever been accustomed to despotism, were on the spot ready, and in all probability willing to reduce the other colonies to a level with themselves: but the ferment was a good deal lowered, when time and information afforded their reason an opportunity of exercising itself. The King certainly had a right to grant, or settle his land in any manner he thought proper. The neighbouring colonies could have no cause of complaint, unless such grants had interfered with their limits. This could not be, because there was a proviso in the Act, declaring, that it was not intended *to affect the boundaries of any other colony*. If the Crown ever meant to make use of the French, against the liberties of America, it could be done, as well under the old extent of Canada as the new.—It was universally known, that many desperate men left their lower settlements,

ments, and fixed themselves in the back country, out of the reach of legal process, and indeed out of the bounds of any of the Provinces; and it was strongly suspected, that they sometimes assumed the appearance of Indians, went into the interior parts, and plundered many plantations with which they were before acquainted. It was therefore necessary, to include these freebooters within some government. Canada was thought the most proper, as its inhabitants were woodsmen, and would make it a point, to hunt out these pests of society.—The skin trade had been carried on in a very irregular manner, and the Indians were greatly imposed on in their barter with the traders; who dealt with them without authority, and took every advantage they could of these unguarded people. Government shewed great wisdom in their intention, to reduce this trade to some advantageous system; which it was very plain they could, under proper regulations. Canada, from its situation, the extent and course of its rivers, the variety of settlements on those waters, was beyond a dispute the best place, when enlarged, to be made the center of this trade. A very judicious pamphlet which was published, stating the justice and policy of this Act, silenced, for some time, all objections to it; and every clamour, which was made to it afterwards, arose from the idea of losing the Fur Trade, by its being transferred by this new regulation to the people



people of Canada, and which was certainly a very beneficial measure to this country.

Gentlemen were very much divided in their opinions, with respect to the effects of a paper currency, which was introduced the last war, to answer the purposes of government ; and which from further exigencies has been ever since kept on foot amongst them. Some thought, that as the trade with the Spaniards, from whence gold and silver came, was prohibited, that commerce must decline for want of a circulating medium. Others insisted, that a creation of paper would be an exclusion of specie ; and that a clandestine trade would bring in a sufficient quantity of cash, to answer the business of circulation. But as soon as an act of parliament passed, procured as it was imagined by some merchant who knew very little about the matter, intimating the assemblies from making it a *legal tender*, there was but one voice about it, and every one declared, that the Colonies must be ruined under such a restriction. Had some branches of trade been left open, there is no doubt but the necessity of emitting paper would have been removed ; but at all events, the merchants were alarmed without reason, for such a guard was put upon it, that it was impossible they could receive an injury from it.

There has been an instruction to the Governors of many years standing, to disallow appeals to the King and Council, where the value in dispute is under 500*l.* sterling.

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This was thought to be a hardship to the suitors, and very impolitic to the mother country. It amounted, it was said, to an exclusion of appeals, the birthright of the subject; as there are few causes tried in the Courts of America, of that consequence. The judges in the Colonies may be very upright men, but never can be thought of sufficient ability, *finally* to decide cases that are under their consideration. When questions are debated before different judges versed in law, the truth cannot lie long concealed; and parties become satisfied, when their case has undergone a variety of discussions; but when matters of consequence are determined by one set of judges, and they perhaps but little acquainted with the law, irretrievable errors must frequently happen, and the security of property be rendered very precarious; besides, a judge, when he knows that his opinions lie open to the criticism of a superior, will be more accurate in his decisions; but when he is under no controul, his passions may operate on his judgment, and great injustice arise from his determinations. There is nothing which can give a greater insight into the policy and manners of a people, than a knowledge of their forensic controversies. Mens passions are apt to kindle upon these occasions; and the slow progression of suits, afford them time to collect every thing they can against one another. Reserve is put aside, and every thing is laid before the judge. This circumstance, in case appeals from the Colo-

nies had been more frequent, besides putting money into the pockets of many persons here, would have brought more information with respect to the people of America, than could have been collected from any other quarter. However notwithstanding these remarks, I think it was proper to restrain appeals to some certain value, (otherwise the time of the King and Council would have been chiefly employed by American causes) especially, under the latitude always allowed of removing cases to England by a special mandamus, when the intricacy or injustice of them made such a proceeding proper.

There were many other circumstances of discontent displayed by the Congress, in order to accumulate their grievances to as great a bulk as possible; but they are of too little consequence to be mentioned at this time. Those that I have enumerated were the chief, which were considered by the people as indications of the tyranny of this country. Groaning, as they pretended under these repeated acts of oppression, and fearful that greater burdens would be laid on them, the leaders of the populace of New England, thought it high time to begin the great work of independance. They looked at their numbers, and *magnified* them to three millions; they took it for granted, that their trade would purchase the assistance of France; and they flattered themselves that the *sound* of liberty, would draw to them all the valuable inhabitants of Great Britain and Ireland.

Ireland. In short, they conceived they had a great deal to hope, and but little to fear; for let the event be as it would, they assured themselves, that America must be a gainer in the contest. As the lower class in a nation, do the drudgery in all arduous undertakings; it was thought necessary to prepare their minds, so as to alienate their affections from the mother country, and to incline them to act the part which was to be allotted to them. Harangues were delivered to induce them to think that their looms would be suppressed, or at least very heavily taxed by Parliament; their skill and industry having become, as it was hinted to them, objects of jealousy to the English; that their property, though earned by the sweat of their brows, would be drawn from them to pamper the persons of their Tax Masters; that tea was a poisonous drug, upon which a small duty was laid at first, in order to fix a precedent, by which every thing they used in their families, would in future be taxed. The peasantry in all countries are ripe for commotion, when they are led to believe that oppression is at hand. This was the case with the populace at Boston; they were fired at the idea of labouring for others, who from their distance could make no return, by spending any part of their fortunes amongst them. The ringleaders of the rebellion, finding that the minds of the people were wrought up to the pitch they wished; and being informed, that the East India Com-

pany had leave to import tea into the colonies, a large part of which was destined to Boston; thought the destruction of it, on its arrival, would be a good ground to proceed on, as they were convinced, that his Majesty would resent such a violation of property, and endeavour to punish the authors of it, and then the quarrel would begin. Accordingly when the tea arrived, a large body of men tumultuously assembled, and in the most insolent and outrageous manner, went on board the ships and threw it all into the river. This was done without consulting the other colonies; for they thought that when it was done, it would fix them in making it a common cause; and that step by step, their great purpose might be effected. Every thing succeeded to their wish, the other Provinces justified very readily, the act of the Bostonians, and followed their example; except in one or two places where the tea was not immediately destroyed, but its execution was postponed, until it could be performed with greater solemnity, and in a more exemplary manner. The King and Parliament receiving such an insult in this outrage, proceeded to make an example of the authors of it. Amongst other things the port of Boston was shut up, and the constitution of the country changed, and brought into a line more analogous to the government of the other colonies, and to the principles of the British constitution. This was most loudly complained of, and was thought a capital part of

of the tyranny of this country. I shall not, my Lord, enter into the grounds of this measure, as it would render me very tedious to explain my ideas of it; but I must say that there is no man who knows what a constitution is, but must allow, that no government ever stood more in need of an alteration in its form, than New England did. Charters are it is true sacred grants; but the due exercise of the powers given by them, are equally to be observed, and there are a thousand instances, in which it was plain, that they looked on their charters as mere blank pieces of paper.

On the day that the Boston port bill was to take effect; fasts were ordained, and every one under pain of the mob's displeasure, was bound to observe them with the utmost exactness. By circular letters, each colony was desired to send a number of representatives, who were to meet at Philadelphia, to consider of the state of America, and be stiled delegates, and the collective body to be called a Congress. Upon their first meeting they took upon them a power, which the Roman Consuls had upon urgent occasions given them, *videant consules ne quid detrimenti republica accipiat*: all government upon this was thrown off in the colonies; the King's right to the lands was denied; the governor's power to dissolve the assemblies treated as an usurpation; their persons, as well as those of the crown officers insulted; every province was ruled by a convention, and every county by  
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a committee; and nothing but confusion reigned throughout America. I have good reason to assert, that though in the *first* congress, nothing was mentioned *publicly*, yet that a majority of the members, upon comparing notes *privately* together, thought that America was ripe for a secession from the Mother Country. Their opinions were founded on the idea they had of their own distance and strength, and the encouragement they received from England. They were assured from various quarters, that the luxuries of this country had melted down the valour of the great, and that the common people were all on their side; that the manufacturing towns would be ruined if the trade of the colonies was discontinued; that Lord North had in many places been burned in effigy, and would soon be brought to a scaffold, for his administration towards them; that the minority who were their steady friends, were men of the first consequence, and were daily increasing, by the accession of many respectable characters to its number; that *then* was the critical moment to make a stand, against the unnatural and arbitrary encroachments of their parent country, which from its situation, must give them their own terms; and they were flattered with an idea, that liberty had abandoned Europe, and had fixed her crest on the arms of America, as the only place where she could be seen, in her proper lustre. When the Americans found they  
were



were deceived in these first assurances, 'tis astonishing, that they should place a confidence in any others ; but by a kind of magic the pretended friends to that country, have found means to keep up the delusion to this day. And here, give me leave to express my wonder, that a dispute of this nature should, on the part of America, find a support amongst the gentlemen of this kingdom. The point in question is not now, whether the parliament can consistently with the constitution, tax the colonies : in that case, a division might be expected ; but whether the Americans shall become an independant people to the prejudice of this nation, whose blood and treasure have been lavished in their protection ; and to the injury of a great number of individuals, who from their adherence to order and duty, must be ruined, if such an event should happen. Dissolute men, who have no regard to their own, cannot be expected to pay any attention, to the welfare of their country. Persons of desperate fortunes, whom nothing but the wreck of the empire can restore, may wish to accomplish its ruin. Obscure and insignificant beings, like Erostratus, who burned the temple of Ephesus, to perpetuate his name to posterity, may seize the only opportunity of making themselves conspicuous, by signalizing themselves, in promoting the destruction of their country. Ambition may prompt another class to sound an alarm and promote confusion, in

order

order to bring about a removal of the ministry, step into their places, and then say that their eyes are opened, and do the same things which they are now condemning. But that men of fortune and understanding; and dignified members of the church, when the Americans profess such an utter dislike to episcopacy, have expelled their pacific Clergy, abolished all livings, and left the whole at the mercy of their parishioners; that such men should cherish rebellion, and throw every obstacle in the way to prevent a suppression of it, is to me the most astonishing circumstance, that I believe is to be found in the history of man. If these gentlemen would reflect, that the American trade employed at least 2000 ships, and 30000 seamen; that this country could draw from thence any quantity of timber and naval stores; that the colonies took of the goods and merchandizes of Great Britain, to the amount of three millions per annum: though these advantages were not sufficient to entitle them to an exemption from taxes; yet the persons I allude to, if these considerations were attended to, would, I am confident, acknowledge, that every nerve should be stretched, to support the honour and dignity of this insulted Kingdom.

The encouragement which the rebels received from England, was greatly strengthened by their own suggestions, arising from the repeal of the Stamp Act. On that day, when the Parliament rescinded an act, which they

they had passed with so much deliberation; not from any conviction of its impropriety, but with the hope of appeasing the violence which was used in opposition to it, the genius of England departed from her; and from thence we may date the loss of her influence over the colonies. The Americans saw that the same cause would produce the same effect; and that if this country gave way to vehemence in one instance, they would in another; they attributed this relaxation not to a desire to keep peace, but to an inability to maintain its authority. Whether they were mistaken or not, time will make a discovery. Whenever a regulation is likely to affect a number of people, it ought to be weighed with the utmost caution and deliberation; but when once the decree is passed, and the measure adopted; if the standard of violence is raised against it, *ruat cælum fiat justitia*. Though the majority of the Congress were very clear, as to independence in a subsequent meeting, yet, when it was proposed to the people, they were far from being unanimous in their opinions upon that important subject. Some of the sensible part of them foresaw the distress they must be involved in, if they separated from the mother country; and were therefore willing to push off the evil to a future day; to be encountered by posterity, as better able to engage in a cause of so much hazard and difficulty. But the New Englanders and com-

mon people of the other Provinces, who had seized all the power, and were become the general directors of the state in all cases, rejected every idea of accommodation, and were resolved to break off all connection with this country. The mobs had instituted a mode of punishing the disaffected, as new as it was curious; which kept mankind in the most perfect order, as it required not the solemnity of a trial previous to it, but was immediately inflicted on the suspected, as soon as a number of people could be collected, in order to take warning from this exemplary punishment: this was called and known by the polite name of, tarring and feathering. The method of performing this elegant operation is as follows 'The unhappy victim is first stripped of his cloaths and shirt, and in solemn procession, amidst the hissings of a multitude of spectators, is then led and tied to a long pole fixed in the ground, on which the insignia of Liberty are most triumphantly displayed. Near to this pole is placed a large pot of tar, with a brush or mop; implements very happily calculated to execute this most civilized punishment! After the people are informed of the heinousness of the sufferer's crime, which is, that he has proved himself to be *inimical*, (a word technically used on this occasion) to his country, the executioner enters upon his office, and the criminal is plentifully suffused with this fragrant aromatic from head to foot. This is repeated, until

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until his skin has received as much as will  
 stick to it; after which, if any part of the  
 precious liquid remains, the culprit is ho-  
 noured with a general libation of it, by put-  
 ting the pot upon his head, leaving the con-  
 tents to descend wherever it meets a passage,  
 till he becomes in appearance one mass of  
 tar. Then this knight of the woeful figure  
 is dragged to a quantity of feathers, and is  
 rolled in them, till he looks like a Friezland  
 fowl; after this, he is made to thank his  
 judges for the lenity of his punishment, and  
 is permitted to return to his own house, to  
 the terror of his dogs, who are ready to de-  
 vour him, where in about three weeks scrub-  
 bing, he may get rid of the tar and its per-  
 fume; but he retains much longer his auburn  
 complexion, and forever after has as prevail-  
 ing an aversion to tar, as a man in an hydro-  
 phobia has to water. This method of col-  
 lecting votes, soon procured a great majority  
 in favour of independance. An occasion was  
 now only wanted, to justify with the people  
 of England so remarkable a revolution; for  
 although the Americans had been greatly en-  
 couraged from this country, to hold out till  
 they obtained their own terms, yet they were  
 not very clear, that a declaration of indepen-  
 dance would be well received in England. But  
 they were soon supplied with what they thought  
 fully answered their purpose; this was the  
 act for prohibiting all intercourse and com-  
 merce with America. This act was considered

as a renunciation of them as subjects, and sufficiently warranted their separation from this kingdom; accordingly, by a solemn resolution, they proclaimed themselves an independent people, by which means they withdrew their allegiance from a prince, whose life is an honour to human nature, and threw themselves into the arms of an acknowledged Tyrant.

There is no man in the community who more devoutly wishes that peace may be restored to his Majesty's dominions, on honourable and satisfactory terms to both parties, than myself. An happy union would not only set this nation above all its enemies, but at the same time would be an advantage to the Americans. They are the descendants of Britons, and are allied to them by every connexion which relationship, language, manners, religion and interest can form. Experience has shewn, that whilst they acknowledged Great Britain as their head, all their disputes were easily adjusted; but there is great reason to suppose, that if they were left to themselves, their jealousies would set them at variance, and that they would tumble to pieces by their own intestine dissensions. Some little time ago, a dispute arose between the Pennsylvanians and Virginians, with respect to the boundary of their Provinces: the former, by extending their line, took in Fort du Quesne, now Fort Dunmore, which the latter insisted belonged to their colony. The difference

difference was worked up to such a height, that hostilities actually commenced between them. This would most certainly have produced a war between them, had they been independant states; but having a superior to appeal to, the dispute was, after some messages and letters had passed between Lord Dunmore and Mr. Penn, governors of those colonies, left to his Majesty's determination, and all their animosity was laid aside. The great increase of their strength and riches since the last war, and the augmentation of their trade, evidently prove, that the hand of oppression has never been laid on them; but that every indulgence has been shewn them, which could possibly be done, without a manifest injury to this country. Every production of theirs, which was consumed in England, sold at a much better price, than it would have produced at any other market. The lands, from whence these profitable commodities arise, are held under the easiest tenures. To encourage their industry, bounties have been given on a great number of articles. Their coasts have always been protected by ships of war; and armies have been sent to their assistance, to defend them from their enemies. In the last war, when some of the colonies made an exertion against the French, though it was immediately for their own safety, yet the parliament distributed a large sum of money amongst them, to ease them in some measure in their expences, which



which out of tenderness to them, it was feared they could not sustain. A comparison of the state of America, between that and the present time; must fill every one with wonder, to observe the astonishing stride it has taken in so short a space, towards maturity. In the first period, it was kept in eternal apprehensions from Canada: and if the army under Baron Dieskaw, had not very fortunately been defeated by Sir William Johnson, and the General himself taken prisoner, the consequence might have proved very fatal to some of the Colonies. But so miraculously have they advanced in power and confidence since that time, that they have not only invaded the country, which before kept them in such awe; but have also bid defiance to Great Britain, which redeemed them from those formidable enemies. The return they have made for all these benefits, has been to fly to arms; and to reject all connection with their benefactors and protectors. If these deluded men would have waited with a little patience, till Great Britain had with its fostering hand raised them to a state of *real* Manhood; it would, I am persuaded, like a tender parent, have given them every advantage at which they are now *prematurely* grasping; and alliance, and not authority, would have formed the band, by which the two countries would have been united. But all these favourable prospects seem now to be visionary; and the sword, unless the present system of policy

policy should succeed, must be the arbiter and determine the controversy.

The war in America, though carried on in support of the dignity of this Kingdom, has involved the ministry in much censure; and all the evils which have happened, have been laid at their doors; it being taken for granted, that they might have prevented them, had their conduct been *moderate* instead of *hostile* in the commencement of this controversy. I may be mistaken in my opinion; but if I am, it proceeds from an error in my judgment, but not in my heart. I will therefore state this matter as shortly as I can, and leave the reader to judge, whether, upon the facts which I shall mention and know to be true; reprehension has not been very unjustly thrown on these gentlemen who have had the direction of the public affairs, during the present unhappy dispute. I own myself an *interested* man; but by no means under the *influence* of any one.

Previous to the year 1767, a duty of 1 <sup>Shilling</sup> per pound, was subsisting on tea, payable on *exportation*; upon a review at that time, of the several acts respecting that commodity, it was thought proper to reduce the duty to 3d. and it was made payable in *the colonies*, instead of *Great Britain*. In 1770, all the disagreeable duties were repealed, except that on tea, which the Americans at that time thought was kept up as a monument of the power assumed by Parliament over them. Whether the principle of this

this alteration, was to preserve the claim of supremacy over the colonies, or, to weaken the practice of smuggling, is immaterial ; the regulation had received its fiat, and must abide by the consequence. That was the period when the Americans ought to have made their stand against it if they disapproved of it ; and there is no doubt but that the parliament, upon a *decent* representation, might have been induced to repeal it. But on the contrary, no remonstrance was made ; teas were imported, and the duties collected throughout the colonies, without a single complaint, that was ever made public : and Lord Hillsborough's letter, declaring that the King's ministers had no intention of proposing any further tax on America, seemed to give universal satisfaction. The East India company having obtained leave to import teas into the colonies, sent a large quantity of it to Boston and other places. This was certainly a great advantage to the Americans ; for the consumer was enabled to purchase tea of the company, 100 per cent. cheaper, than he could have done in the usual way of importing it in small quantities. Upon the arrival of the tea, the people of Boston tumultuously assembled, entered the ships that had any on board, and threw the whole into the river. And lest this act of violence should not be taken notice of, in the manner they desired ; they added every degree of rudeness and openness to it ; to shew, that it was not done by a *thoughtless mob* ; but with  
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the general *approbation* of the body of the people. The ministry waited some time, to see if any reparation or acknowledgment would be made for this outrage; or if these disturbers of the public peace, would be called on and punished in the courts of justice; but nothing of that sort passing; but on the contrary, the destruction of the tea, being publicly justified throughout the colonies; they very properly considered it, not as the act of a giddy multitude, but as the deliberate proceeding of a rebellious country. What then was to be done? Would it have been prudent to put up with this insult; and let those turbulent people go on as they pleased? Such a line of conduct, would only have added disgrace, to what has already happened. It has been said, that government ought to have demanded satisfaction before it resorted to arms. Upon the earliest occasion the assemblies were convened, and every measure used by the governors, to sooth these unruly people into good temper; but before any thing could possibly be effected, they came to resolutions of so extraordinary a nature, that dissolutions became indispensibly necessary. Besides, stopping up the port of Boston, *until reparation* was made, was a demand, and the most suitable that could be made, to such an occasion. Others have been weak enough to argue, that the East India Company ought to have sought redress from the courts of justice, instead of involving government in the dispute.

pute. I should be glad to know, who were to be made the objects of their suits ; in what judicature they were to be brought, and who were to be their agents to carry on the prosecution. As to the first they were unknown, and it was hardly to be expected, to find informers, who would give in their names. Touching the second : No one could be so ignorant as to suppose, that justice could be obtained in any court, when the minds of the people, were so generally poisoned as to this country ; and with respect to the prosecutor, if any attorney-general or other lawyer had been applied to, to act in behalf of the Company, I fancy, they would have had some *serious* thoughts on the subject. The enquiry which was set on foot, in order to find out the offenders, who burned the Gaspee schooner of war, was a sufficient proof, how futile any formal examination would be, respecting the persons who were the authors of the destruction of the tea. The commissioners appointed in that case, instead of making discoveries, had their court made the subject of ridicule in the news-papers ; which were filled with insolent and ludicrous paragraphs concerning their proceedings. I ask again, what part had government to take under all these circumstances ? They certainly had no alternative left, but were under the necessity of having recourse to arms, the ultimatum in all cases of general confusion and disorder. And if there was any error in their  
conduct

conduct, it was, in not beginning their correction a little sooner. Here again they were blamed, by some for sending an army at all; by others, for sending too small a one; but being unacquainted with the Americans themselves, they consulted those who very properly were supposed to know them best; and being told, that a few troops sent over to strengthen the General's hands, would intimidate the Americans into a sense of their duty; they regulated themselves accordingly. I protest that I was of the same opinion, though I was never asked any questions about it. And when it was found necessary afterwards to augment the forces; as good ships and troops as ever were in service, were sent over; and the command given to two brothers, who ~~was~~ so highly approved of, that were had the nomination lain with the people, these gentlemen would have been appointed. When the army arrived, any concession from the rebels would have put an end to the affair, as it was understood that General Gage, had orders to act *only* on the defensive; but instead of shewing the least inclination to silence the dispute, by any lenient kind of behaviour, every preparation was made for war, and besides an hundred other acts of hostility; they actually made the *first fire* on the King's troops. Men can reason very well on events after they have happened; and some may flatter themselves, with an idea that they would have acted with more success, had they been

in administration ; but I am fully convinced, and every one who was in America at the time must agree in opinion, that government proceeded on the best ground ; and that temporizing with the rebels, would not have healed the disturbance ; but on the contrary, would have lowered the honour of this country, and subjected it to greater contempt. It is imagined, that the offer made by the rebels to submit to the authority of Great Britain, if the acts which disturbed their minds so much, were repealed, had been accepted ; that it would have put an end to the disturbances ; but I am clearly convinced, it would have made matters much worse ; for the complying with one demand would have given birth to another, which would not have ended short of independance ; it would have enabled the rebels to smuggle more extensively, and supply themselves with every thing they wanted, so as to carry on the war with more vigour ; and it would have placed the parliament in a very disgraceful point of view ; amounting to an acknowledgment, that they were either afraid of the Americans ; or else that they had not passed an act in the reign of George the Third relative to them, but what was an improvident one. Upon the whole of these circumstances, however unfavourable the face of things may be at this time ; however persons who have had no concern in public affairs during the war, from the ill success which has attended some of our operations,



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operations, may triumph over those who have  
 had the direction of them ; I could venture to  
 pledge myself, that if the same plan was to  
 be pursued with a little more vigour, than  
 has hitherto attended its execution ; that  
 Great Britain will again possess its authority  
 over America ; and that the people of that  
 country, when their passions are subsided, will  
 be as happy in being rescued from their con-  
 nections with France at this day, as they were  
 in being redeemed by the power of this coun-  
 try from the Canadians in the last war.

War being determined on, there were two  
 ways of conducting it. The first, was to  
 confine it to the sea *alone* ; the second, on a  
 more enlarged scale, to send an army to co-  
 operate with the navy. The last was very  
 wisely adopted, as most likely to do the bu-  
 siness with the greatest expedition. Men of  
 warm tempers and sanguine hopes, might ex-  
 pect to finish the war in a campaign or two ;  
 but those who knew America, and the dispo-  
 sition of the inhabitants, must have foreseen,  
 that the subduing that people, would be a  
 work of time. Either of these methods,  
 even at this day, if properly enforced, would  
 put an end to the contest. If the troops were  
 withdrawn, and the ships left to block up  
 their ports, and cut off all communication  
 with other countries, distress would oblige  
 the Rebels to submit to this country : but if,  
 with the assistance of the ships, an army was  
 on foot, sufficient to attack them in different  
 quarters



quarters at the same time, and by that means divide their power, and prevent their making *one* army, the strength of the whole Continent, there is not a shadow of doubt, but that the quarrel would soon be brought to a conclusion. But a third aid is called in, terms of conciliation are offered, in order to stop the further effusion of blood, and finish, by an olive branch, what *otherwise* the compulsive hand of war must put an end to. God send that these overtures may prove successful, and that peace may be established throughout all his Majesty's dominions. This condescension in the Parliament, may *possibly* have a bad effect. In the beginning of the dispute, the Congress offered to return to their duty, provided certain offensive acts of the Legislature were repealed. The Parliament *then* refused to comply with their demands; but now, after a great expence of blood and treasure, they are disposed to come into that proposition. This may create an idea, that Great Britain is overcome, and make the Americans more obstinate in insisting on their independancy. It may also give the Congress a merit with the people, (which has been lately on the decline) in finding their assurances true, that Great Britain, if America would hold out, would relinquish the scheme of conquering them. In such case, the treaty will be at an end. If it is accepted, it may proceed from a desire to get rid of their present distress, in order to put themselves into a better situation, that  
their

their resistance may be more effectual at a future day. But should this amicable proposal be rejected; the refusal may produce one or both of these good effects; it may give unanimity to the people of this country; and nothing else is wanted, to make them victorious over all their enemies; for it will from thence be plainly discovered, that no grievance, but a thirst after independance has occasioned the rebellion; or it may create a division amongst the individuals, if not the provinces, and incline those, who are for peace, to join the friends of government, and oblige the Congress to concur in the blessed work of peace.

Though the success of this negociation is invloped in great obscurity, and gives rise to a variety of sentiments; yet my opinion is, that the Congress (in which the people in general will certainly join them) will *cordially* receive the proposal, and thereby put an end to the unhappy contest. The distress of the Americans is at this time so great, that though perhaps they might be unwilling, after the parade which they have made, to be the first movers in a reconciliation; yet they may be very strongly inclined to embrace any terms, when proposed *originally* by this country. They may receive this proposal, not as some people construe it, an *humiliating* one; but as a mark of the return of their parent's affection for them, and be heartily disposed to renew their friendship, and bury in oblivion every animosity. They have found that their  
strength

strength is unequal to the power of this country, which is a truth that sad experience has told them, if we may judge from the reduced state of Mr. Washington's army. This will probably bring them to reflection, and, when they consider their want of the necessaries of life; the great impediment which the war has been to the cultivation of their lands; the distress of private families, arising from the loss of many of their relations and friends, who have fallen in battle; the security it will be to gentlemens estates, to be exempted from forfeiture; the relaxation from the fatigues and dangers of war; the fears from which the timid will be relieved, by the restoration of peace, added to the appearance of a *large armament ready to act, in case of a refusal*; they certainly will be disposed to put an end to their miseries, by an accommodation, rather than lengthen them, by continuing the war. But if they should still be so insatuated, as to insist on their independance as a preliminary article of the treaty; my advice is, my Lord, that you never *accede* to it. Protest against it in the most explicit manner, and let that protestation be, like the laws of the Medes and Persians, unalterable. And if, at a future day, any man should be hardy enough to move for an alteration of such a resolution; let him, as was formerly done, in a state of Greece, by every one who moved for an innovation in government, do it with a *halber about his neck*. The cheapness of the  
 necessities

necessaries of life ; the great quantity of land to be had on the easiest terms ; the encouragement which will be given to artificers and other people to settle amongst them ; the high wages they would give to seamen, and their exemption from pressing ; curiosity and twenty other motives, will carry over to them a great number of the inhabitants of Great Britain and Ireland, as well as from different parts of Europe ; which will push them forward, beyond any thing that has been experienced in past times. And although the debt they may have contracted in the present war, will be found very large, and, if paid off, will throw a heavy burden on the people, (which possibly may alarm persons inclined to reside amongst them) yet that obstacle would be very easily removed, either by funding their money, and making their taxes easy to the people, or abolishing the debt, which would be done without hesitation, as a purchase of their independance. I have my fears also, my Lord, about the West Indies and Newfoundland fisheries ; I wish, that future events may not prove my alarm well grounded.

Should a treaty be entered into, a great difficulty will arise, as to the paper money now in circulation amongst them. I would strongly recommend it to your Lordship's better judgment, that, at all events, they may be permitted to redeem it. It may look like giving a sanction to what has been their support in the present, and may be of pernicious

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consequence on another occasion ; but I am persuaded, that it will have a contrary effect, for when the people are made to pay in *real* money for what was of little value to them, it will make them very cautious, how they will be concerned with it again. And I am the more strongly disposed to press this measure, because I know that the friends of government will be found to possess no other money but this trash, which, added to their other losses; must effectually beggar themselves and their families. The sums of paper money, which have been already emitted, exceed all bounds ; and I have been credibly informed, that if the war was to continue a few years longer, at the rate they have hitherto gone on, that the American, would be almost equal to the national debt of this kingdom.

It is a matter of curious speculation to gentlemen acquainted with America, to find the inhabitants of one colony so different from those of another, in sentiments, manners, and almost in every other circumstance, except their language ; that a stranger would scarcely conceive them to be, members of the same community. Hospitality is to be found in a great degree in some of the colonies, little or none in others. Pride and moderation, extravagance, and the love of money, outward sanctity and libertinism, candour, and dissimulation, are evident characteristics of different provinces ; and yet the levelling principle prevails as much throughout America,

rica, as perhaps in any country in the world. There is an eternal jealousy subsisting amongst them, respecting the dignity of their colonies. If they were to be left to themselves, the point of precedence would forever keep them at variance. Their immediate fears of the British army, in the present dispute, united them more closely than was expected; but if danger had not been so near them, some etiquette, or point of character, would certainly have interrupted many of their operations. During the last war, when the troops of different colonies were joined, and any success was obtained by them, each arrogated the merit of the whole, to its own body; and when they returned to their respective provinces, spoke of their confederates, as men from whom nothing could be expected in enterprise of danger. And I am fully convinced, that if the Congress had not appointed Mr. Randolph, who was speaker of the house of Burgesses in Virginia, their president, and Mr. Washington, of the same country, their general; that the Virginians (before they had engaged too far to recede) would have withdrawn themselves from that body, and acted a very different part from what they have taken in this dispute. From hence I would observe, that if they ever again submit to the authority of this country, that their forms of government should not be altered; but that they be left to go on, in their old way, as a means of preventing their forming a solid union

union, and protracting a second rupture with them as long as possible.

The possession of Canada, and the making it a place of great strength, ought never upon any consideration whatsoever be relinquished by this country. It will give a great command over the other provinces in general, but in particular, their back country, which I think a very important advantage to Great Britain. A knowledge of this first induced the colonists to attempt the siege of Quebec, and I have not a doubt, but that some further efforts will be made in a short time, to possess that country. It will enable the English totally to ingross the fur trade; and with judicious management, may bring the Indians intirely at their devotion. The complaint of the Congress that the Canadians were allowed the exercise of their religion; proceeded from a desire to make them discontented, which they were certain would have been the case, if that indulgence had been denied them; and if this country had formed the government of Canada, according to the exact standard of the British constitution; the Americans would immediately have availed themselves of it, as an extreme hardship on that conquered people; and in all probability, would have brought them to their side in the present dispute.

I have heard a great deal of the advantages which are to be given to the Americans, but very little of what this country is to retain to itself. I wish the prosperity of America as  
much



much as any one ; but my predeliction will not carry me so far, as to desire it, at the expence of this kingdom. I hope the advocates for America will allow Great Britain at least something more than the *name* of supremacy. To put this matter upon a fair and liberal ground, and to remove all jealousies and uneasiness on both sides, I would propose a few articles, as the outlines or basis of a more extensive treaty, which, if once executed, might establish a friendship and union as lasting as time itself. I would have the acts of navigation preserved in their utmost force and vigour. They are laws founded on the nature and genius of this country, and ought not, by any means, to be dispensed with, or impaired. Their goodness is sufficiently proved by the growth, which the colonies have taken under their regulations. To make this country the center of American trade, whilst she continues to protect it, cannot, with any face of justice, be denied her, unless it be by persons, who wish to see the 13 stripes of America, instead of the royal standard of Great Britain, flying in the ports of England. The American trade should be confined within its ancient limits, except as to the Spanish West Indies, which ought to be tolerated under certain regulations ; and the bounties given by parliament ought to be continued. The king's quit-rents, and the manner of granting lands, should remain on the old footing, except that all the large grants of land to the Ohio, and other com-  
panies



panies, should be dissolved, as most people I believe are convinced at this day, that those grants have not turned out as were expected.

Let the laws and government of the colonies be continued ; except that the colonists be allowed an easier access to the throne in their appeals.

Let all principals in office reside in their respective governments, and be *appointed* and *paid* by the Crown.

Let them have their assemblies upon the same footing that the parliament of England stands.

I have said before, that the trade of of America was not a sufficient recompence to Great Britain for their expence in protecting that country. Some annual sum therefore, ought to be contributed by the colonies for the general support of the Empire. The commissioners might very easily settle, from the number of inhabitants, the sum which each colony ought to pay. I would have it optional in them to pay their quota in money, or in the commodities of the province, either averaged, or at the market price ; or sent to England, to be sold, and the neat produce paid here ; so as to prevent its being collected in the colonies, by a collector appointed by the Crown.

That in any war which his Majesty shall think proper to declare, each colony shall supply a certain number of men for the sea and land to be *employed in America*, and to be in lieu of pressing, but not of recruiting. And when  
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these men are in service, the annual allowance paid by the colony finding such men, to be suspended. When these preliminaries are settled, then let the British parliament renounce all power of *internal* taxation, and indeed, legislation over them. The King's assent being necessary to all laws, will be a sufficient check to any evil which may arise from their being exempted from the authority of parliament.

Since it is thought proper that terms should be offered, these are such which I think upon fair grounds may be settled; and if once they are accepted, may the hand of heaven fall heavy on the man, who wishes or attempts to break through them.

As to a French war, and an avowal of American independence by that perfidious nation, I am very far from having those dreadful apprehensions about it, which some people entertain. The hatred which an American bears towards a Frenchman, is of such a nature, that it is impossible that any treaty between them should be of long duration. I am the more convinced of this by the French officers having left general Washington, which is a fact that I believe will not be denied by any one. This must have proceeded from some discontent; for people so utterly different as Frenchmen and Americans are, can never draw well together for any length of time. And if, when a common interest was prevailing, an harmony could not be preserved between the *Sons of Freedom* and a few  
soldiers

soldiers of fortune, who came to their assistance for one campaign ; no permanent union can be expected, should the two nations become more generally connected ?

The view of saving their islands influenced the French councils, and dictated the expediency of entering into a treaty with the Americans. Whilst there was a prospect that Great Britain would be able to carry her point, France meant only to weaken her, by the aid she might *secretly* give to the colonies ; but as soon as she conceived that success was likely to declare in favour of the Americans, she took a decisive part, guaranteed their independance, and in return received from them an assurance of the quiet enjoyment of her own possessions. By interesting herself in this manner, in the present dispute, she was certainly wanting in that penetration which she has shewn upon other occasions. She held without a rival all the American trade ; the commodities of that country, rice, indigo, tobacco, and naval stores, &c. and all the gold and silver that could be collected, were deposited by the Congress in France, as a fund to supply them with such things as they might have an occasion for. This she enjoyed without any hazard or expence. If she continues to receive these advantages *now*, it must be at the risk of a war, which will cost her more than she can gain by this trade in half a century.

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The French ought not to have wished for the independancy of America : they have put by this means the tenure of their colonies upon the faith of the Americans, which every one will allow is but an uncertain footing ; for there can be no doubt, but that the French, as well as Spanish dominions, will be confined to Europe, if their new allies should succeed in their undertaking, and come to a rupture with those nations. After the war is at an end, they cannot be so short-sighted as to expect to possess this trade, especially as they have not secured an exclusive one, but have left an opening for other powers to become competitors with her. England and Holland being commercial countries, must at all events take the most valuable branches of it from her. The Americans will, under *certain* concessions from this country, ally themselves to their natural friends, in preference to a people, whom they hold in abhorrence, and which Great Britain will undoubtedly give them, sooner than the French should tear from it, so valuable a part of its empire. The French should have considered, that the cause which they have espoused, is that of perfidy ; subjects revolting from constitutional authority, and contending with their parents and benefactors ; and how uncertain a dependance on men acting on such principles, must be. They should have known, that the Americans

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are in a state of insanity, and that every thing done by them in that condition against their interest or inclinations, will be interpreted void, and by no means obligatory on them. If they had taken these things into consideration, their conduct must have been of a different nature ; but as the die is cast, and things must take their course, I hope that the wisdom of the British councils, the unanimity of our people, the bravery of our troops, and the thunder of our ships, will teach them this lesson, that this great kingdom is at all times able to maintain its honour, and to chastize, with becoming resentment, the folly of her sons, and the insolence of all their abettors.

April 8, 1778.

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